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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JOSEPH MENICHELLO, individually and
on behalf of all others similarly situated,

Plaintiff,

vs.

ASCEND FUNDING, LLC, SPRINGBASE
MEDIA LLC, and DOES 1 through 10,
inclusive, and each of them,

Defendant.

Civil Case No.: 1:17-cv-08436-PKC

AND ORDER

STIPULATION OF DISMISSAL AS TO
DEFENDANT ASCEND FUNDING, LLC

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel to the parties in this action that, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiff's individual claims in this action shall be dismissed with prejudice as to defendant Ascend Funding, LLC *only*, except that the claims of other proposed class members as against Ascend Funding, LLC shall be dismissed without prejudice. Each party shall bear its own attorneys' fees and costs except as may otherwise be agreed to by the parties.

Dated: New York, New York
June 29, 2018

DeNITTIS OSEFCHEN PRINCE, P.C.

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SO ORDERED:


Hon. Judge P. Kevin Castel, U.S.D.J.

6-29-18